

FILED
8/15/23 2:17 pm
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U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No. 22-21412-GLT
	:	
KATHLEEN T. MEINERT,	:	Chapter 7
	:	
<i>Debtor.</i>	:	Related to Dkt. Nos. 61, 82, 87, 92
	:	

ORDER

Over the past eleven months the Debtor, Kathleen T. Meinert, repeatedly failed to take actions necessary to successfully advance her chapter 13 plan. In September 2022, the Debtor proposed a 100% plan to be funded primarily by the sale of real estate located at 128 Crystal Springs Drive, Cranberry Township, Pennsylvania. The plan was confirmed in October 2022. However, by May 2023, no progress had been made toward employing a broker or listing the property. The Debtor was unresponsive to communications from her counsel, and she failed to attend the 341 meeting of the creditors. Subsequently, the Court converted the case from chapter 13 to chapter 7.

Following conversion, the Debtor remained uncommunicative and failed to submit documents as directed by the Court's *Order* dated May 9, 2023 [Dkt. No. 61]. In response to her inaction, the Court issued the *Order to Show Cause Directed to Kathleen T. Meinert* (the "Show Cause Order") [Dkt. No. 82] requiring the Debtor to appear in-person to show cause as to why she should not be found to be in contempt of court. The *Show Cause Order* also instructed the Debtor to appear at a future rescheduled 341 meeting of creditors, and threatened the imposition of sanctions if she was deemed to be in contempt of Court. No response was filed, and the Debtor failed to appear at the subsequent hearing or the rescheduled 341 meeting of creditors. At the

hearing on the *Show Cause Order*, Debtor's counsel requested permission to withdraw as counsel due to the Debtor's lack of communication.

Pursuant to 11 U.S.C. § 727(a)(6), the Court may withhold a discharge in certain situations where a debtor refuses to obey a lawful order of the Court. Here, the Debtor has been uncooperative and unreachable for months. She failed to respond to, or comply with, the Court's *Order* dated May 9, 2023 and the subsequent *Show Cause Order*. Her inaction has created an undue prejudice to unsecured creditors and wasted the Court's time and resources. Based upon the forgoing, is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The Debtor is found to be in contempt of court for her failure to comply with the *Order* dated May 9, 2023 and the *Show Cause Order*.
2. The Debtor is hereby **SANCTIONED** through denial of the discharge. The allowed general unsecured claims against the Debtor, including but not limited to the debt owed to LVNV Funding, LLC on account of Claim No. 2, are deemed nondischargeable.
3. The case shall be **DISMISSED** with prejudice and a 180-day filing bar.
4. The *Motions* to withdraw as counsel for Debtor [Dkt. Nos. 87 and 92] are **DENIED** as moot.

Dated: August 15, 2023


cgr

GREGORY L. TADDONIO
CHIEF UNITED STATES BANKRUPTCY JUDGE

Case administrator to mail to:
Kathleen T. Meinert
Debtors Counsel

In re:
Kathleen T. Meinert
Debtor

Case No. 22-21412-GLT
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Aug 15, 2023

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 17

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 17, 2023:

Recip ID	Recipient Name and Address
db	+ Kathleen T. Meinert, 233 Third Street, Pittsburgh, PA 15225-1336
aty	+ David Z. Valencik, Calaiaro Valencik, 938 Penn Avenue, Suite 501, Pittsburgh, PA 15222-3708
cr	+ Crystal Springs Homeowners Association, 100 Crystal Springs Drive, Cranberry Township, PA 16066-3928
15500010	+ Cyrstal Springs Homeowners Association, 100 Crystal Springs Drive, Cranberry Twp, PA 16066-3928
15500011	+ Fidely Investor Center, 1680 Washington Road, Suite H, Pittsburgh, PA 15241-1213

TOTAL: 5

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: RASEBN@raslg.com	Aug 15 2023 23:30:00	NewRez LLC d/b/a Shellpoint Mortgage Servicing, Robertson, Anschutz, Schneid, Crane & Pa, 130 Clinton Road, Suite 202, Fairfield, NJ 07004-2927
15500009	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 15 2023 23:56:39	Costco Citi Card, Attn: Bankruptcy, Po Box 6500, Sioux Falls, SD 57117-6500
15500008	Email/PDF: ais.chase.ebn@aisinfo.com	Aug 15 2023 23:41:29	Chase Card Services, Attn: Bankruptcy, P.O. 15298, Wilmington, DE 19850
15500012	+ Email/Text: PBNCNotifications@peritussservices.com	Aug 15 2023 23:30:00	Kohls/Capital One, Attn: Credit Administrator, Po Box 3043, Milwaukee, WI 53201-3043
15516597	Email/PDF: resurgentbknofications@resurgent.com	Aug 15 2023 23:53:52	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15519356	+ Email/Text: mtgbk@shellpointmtg.com	Aug 15 2023 23:30:00	NewRez LLC d/b/a Shellpoint Mortgage Servicing, P.O. Box 10826, Greenville, SC 29603-0826
15500013	Email/Text: mtgbk@shellpointmtg.com	Aug 15 2023 23:30:00	NewRez, LLC. c/o Shellpoint Mortgage Svc, PO Box 10826, Greenville, SC 29603-0826
15500014	+ Email/Text: bankruptcy@onlineis.com	Aug 15 2023 23:30:00	Online Collections, Attn: Bankruptcy, Po Box 1489, Winterville, NC 28590-1489
15512577	Email/Text: Bankruptcy.Notices@pnc.com	Aug 15 2023 23:30:00	PNC Bank, N.A., P.O. Box 94982, Cleveland, OH 44101
15500015	Email/Text: Bankruptcy.Notices@pnc.com	Aug 15 2023 23:30:00	PNC Mortgage, Attn: Bankruptcy, PO Box 8819, Dayton, OH 45401
15500016	^ MEBN	Aug 15 2023 23:21:21	Stern & Eisenberg, Andrew Marley, Esquire, 1581 Main St., Ste. 200, Warrington, PA 18976-3403
15500017	+ Email/Text: bankruptcydepartment@tsico.com	Aug 15 2023 23:30:00	Transworld Sys Inc/51, Attn: Bankruptcy, Po Box 15630, Wilmington, DE 19850-5630

TOTAL: 12

District/off: 0315-2

User: auto

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BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
cr		PNC BANK, NATIONAL ASSOCIATION

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 17, 2023

Signature: /s/Gustava Winters**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 15, 2023 at the address(es) listed below:

Name	Email Address
Andrew Kevin Pratt	on behalf of Debtor Kathleen T. Meinert apratt@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;akpratt.ecf@outlook.com
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmlawgroup.com
Charles Griffin Wohlrab	on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing cwohrlab@ecf.courtdrive.com cwohrlab@ecf.courtdrive.com
Charles Griffin Wohlrab	on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING cwohrlab@ecf.courtdrive.com cwohrlab@ecf.courtdrive.com
Daniel Philip Jones	on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING djones@sterneisenberg.com bkecf@sterneisenberg.com
David Z. Valencik	on behalf of Debtor Kathleen T. Meinert dvalencik@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;apratt@c-vlaw.com;mpeduto@c-vlaw.com;mlocke@c-vlaw.com
Donald R. Calaiaro	on behalf of Attorney David Z. Valencik dcalaiaro@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;apratt@c-vlaw.com;mpeduto@c-vlaw.com;mlocke@c-vlaw.com;eballa@c-vlaw.com
Matthew F. Marshall	on behalf of Creditor Crystal Springs Homeowners Association mmarshall@dmkcg.com spavick@dmkcg.com
Michael D. Hnath	on behalf of Creditor Crystal Springs Homeowners Association mhnath@dmkcg.com skoprivnak@dmkcg.com;mlascuola@dmkcg.com
Office of the United States Trustee	ustregion03.pi.ecf@usdoj.gov
Rosemary C. Crawford	on behalf of Trustee Rosemary C. Crawford crawfordmcdonald@aol.com PA68@ecfcbis.com

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Rosemary C. Crawford

crawfordmcdonald@aol.com PA68@ecfbis.com

Steven K. Eisenberg

on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING seisenberg@sterneisenberg.com
bkecf@sterneisenberg.com

TOTAL: 13